

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Document # 8

*Kenmore Associates, L.P.,  
et al*

-v-

*Burke*

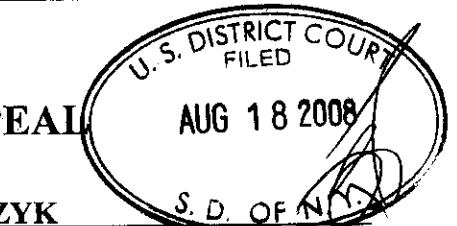
U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

AUGUST 18, 2008



**INDEX TO THE RECORD ON APPEAL**

PREPARED BY (NAME): THOMAS R. PISARCZYK  
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**DISTRICT COURT DOCKET ENTRIES**

**DOCUMENT DESCRIPTION** **DOC. #**

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

Original Record

Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 18<sup>TH</sup> Day of August, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Kenmore Associates L.P.  
-v- et al  
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U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 08-CV-2431

JUDGE: L.B.D.

DATE: AUGUST 18, 2008

## **Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 7, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

### Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York,  
this 18<sup>TH</sup> Day of August In this year of our Lord, Two Thousand and Eight, and the Independence of the  
United States this 233<sup>RD</sup> year.

**J. Michael McMahon, Clerk**

By

Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-02431-GBD**  
**Internal Use Only**

Kenmore Associates, L.P. et al v. Burke  
Assigned to: Judge George B. Daniels  
Case in other court: State Court-Supreme, 075107-07  
Cause: 42:1983 Civil Rights Act

Date Filed: 03/10/2008  
Date Terminated: 07/01/2008  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/10/2008	1	NOTICE OF REMOVAL from State Court-Civil, County of New York. Case Number: 071507/07. (Filing Fee \$ 350.00, Receipt Number 644222). Document filed by Brian Burke.(rdz) (Entered: 03/13/2008)
03/10/2008		Magistrate Judge Kevin N. Fox is so designated. (rdz) (Entered: 03/13/2008)
03/12/2008	2	AMENDED NOTICE OF REMOVAL, with jury demand. Document filed by Brian Burke.(cd) (Entered: 03/14/2008)
03/18/2008		***DELETED DOCUMENT. Deleted document number 3 PRO SE PRETRIAL CONFERENCE ORDER. The document was incorrectly filed in this case. (ae) (Entered: 03/26/2008)
03/26/2008	3	ORDER FOR INITIAL PRETRIAL CONFERENCE:... Initial Conference set for 4/22/2008 at 09:30 AM in Courtroom 15D, 500 Pearl Street, New York, NY 10007 before Judge George B. Daniels. (Signed by Judge George B. Daniels on 3/26/08) (cd) (Entered: 04/02/2008)
04/22/2008		Minute Entry for proceedings held before Judge George B. Daniels: Interim Pretrial Conference held on 4/22/2008, (Defendant Responses due by 6/16/2008, Plaintiff Replies due by 6/20/2008.) Pl. counsel (Mia Falls), pro se deft (Brian Burke) and court reporter present. Plaintiff is to respond to notice of removal via letter by 5/16. Dft to respond by 6/16, and plaintiff to reply by 6/20. (jw) (Entered: 04/25/2008)
07/01/2008	4	MEMORANDUM DECISION AND ORDER that this Court neither has jurisdiction over this matter nor was the notice of removal timely filed. Defendant's attempt to remove this matter to this Court is therefore denied and this matter is ordered dismissed and closed. (Signed by Judge George B. Daniels on 6/25/08) (cd) (Entered: 07/01/2008)
07/14/2008	5	MOTION to Reconsider and Reargue. Document filed by Brian Burke.(rw) (Entered: 08/04/2008)
07/30/2008	7	NOTICE OF APPEAL from 4 Order. Document filed by Brian Burke. (tp) (Entered: 08/15/2008)
07/30/2008		Appeal Remark as to 7 Notice of Appeal filed by Brian Burke. \$455.00 APPEAL FEE DUE. (tp) (Entered: 08/15/2008)
08/06/2008	6	ORDER denying 5 Motion for Rerargument.. (Signed by Judge George B. Daniels on 8/6/08) (cd) (Entered: 08/06/2008)
08/15/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 7 Notice of Appeal. (tp) (Entered: 08/15/2008)
08/15/2008		Transmission of Notice of Appeal to the District Judge re: 7 Notice of Appeal. (tp) (Entered: 08/15/2008)